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April 17, 2020

**VIA ECF**

Hon. Eric N. Vitaliano, U.S.D.J.  
United States District Court for the  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**RE: Metropolitan Life Insurance Company v. Tianna N. Smalls, et als.**  
**Civil Action No.: 19-cv-3268 (ENV)(RML)**

Dear Judge Vitaliano:

Our office represents Plaintiff Metropolitan Life Insurance Company (“MetLife”) in the above referenced interpleader action. We would appreciate Your Honor accepting this correspondence as MetLife’s request for approval of a briefing schedule for a proposed motion for interpleader. We have prepared our motion for interpleader relief, and seek Your Honor’s approval of the briefing schedule.

Defendants Tianna Smalls and Tanisha Smalls both waived service on July 18, 2019. By order dated October 25, 2019, Your Honor extended their time to respond to the complaint through October 25, 2019 (Docket Entry (“D.E.”), 15) and thereafter, on December 9, 2019, further extended the deadline through February 14, 2020. However, to date, neither responded to the complaint nor requested any further extension of time to respond to the complaint. On August 20, 2019, N.G., a minor, was served through her grandmother, Julia Chapman. N.G.’s answer was due on or before September 10, 2019. She also neither answered nor otherwise responded to the complaint and did not request an extension to respond to the complaint. By way of the foregoing orders, Your Honor told the parties that the Court would continue to attempt to find a lawyer to represent N.G. without a fee. By way of the October 25, 2020, Your Honor further ordered that MetLife delay re-filing a letter requesting briefing schedule until after December 20, 2019 (D.E. 15). MetLife delayed filing the request as a result of the second order.

This action concerns competing claims to life insurance benefits. MetLife previously deposited the benefits in dispute (D.E. 10). MetLife now seeks to move for interpleader relief. The motion will have no ramifications on the dispute between the Defendants, but will result in MetLife’s dismissal from the action. Although none of the Defendants responded to the

**McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP**

April 17, 2020

Page 2

complaint, we are providing them with notice of this letter and our request. Moreover, I called both Tianna and Tanisha Smalls seeking to agree on a briefing scheduled to no avail.

MetLife will serve the motion immediately upon receiving the Court's approval (or modification) of the following briefing schedule:

1. MetLife shall serve its motion papers no later than May 8, 2020;
2. Defendants shall serve opposition, if any, on or before June 8, 2020;
3. MetLife shall serve reply papers, if any, on or before June 26, 2020; and
4. All motions papers shall be filed by MetLife on or before June 26, 2020.

We ask that the Court approve the foregoing briefing schedule in order to advance the resolution of this matter.

Respectfully submitted,

McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP

*s/ Randi F. Knepper*

Randi F. Knepper

RFK:bk

cc: Tianna Smalls  
Tanisha Smalls  
N.G., a minor  
c/o Julia Chapman